IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3291 OF 2005

Magoalena Biwweman. ..Applicant.

V/s.

State of Maharashtra. ..Respondent.

Through Jail.

Mr.V.B.Konde-Deshmukh,APP for State.

CORAM: A.M.KHANWILKAR,J

DATE : NOVEMBER 25, 2005.

P.C. :

1. I am informed by the learned APP that the trial of the case has already commenced and in all 19 witnesses have been examined so far. However, before conclusion of the trial the Judge taking up the case has been transferred to some other court in Nagpur. If it is so, Principal Judge of the Sessions Court, Mumbai to assign this case to appropriate court, so as to ensure that trial of the case proceeds further at the earliest as the same has been partly heard.

2. Besides, the case pertains to year 2003 and the accused is in jail, the Judge to whom the case is assigned, shall ensure that the case will be taken up for hearing on day to day basis unless there is an

older case pending before him in relation to the similar offence. With this observation, application is disposed of.

3. Copy of this order be forwarded to the applicant as this application is through jail.